



## IN THE UNITED STATES

## PATENT AND TRADEMARK OFFICE

APPLICANT: Steven W. Meeks

APPLICATION NO.: 20830-06581

FILING DATE: December 21, 2001

TITLE: Material Independent Optical Profilometer

EXAMINER: Not yet known

GROUP ART UNIT: 2877

ATTY. DKT. NO.: 20830-06581

COPY OF PAPERS  
ORIGINALLY FILED

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington DC 20231, on the date shown below:

Dated: 20 May 2002By: John T. McNelis

John T. McNelis, Reg. No.: 37,186

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated April 16, 2002 received in the above-identified patent application,

Enclosed are:

- a copy of the Notice to File Missing Parts;
- an original, signed Declaration;
- an original, signed Power of Attorney;
- an Application Data Sheet;
- payment in the amount of \$130.00 for the
- application filing fee;

- fee for additional claims; and  
 missing parts surcharge.  
 Other  
 Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,  
STEVEN W. MEEKS

Dated: 18 May 2002

By:   
John T. McNelis, Reg. No.: 37,186  
Fenwick & West LLP  
Two Palo Alto Square  
Palo Alto, CA 94306  
Tel.: (650) 858-7133  
Fax: (650) 494-1417

20830/06581/DOCS/1269434.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 29 2001

# 5

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/029,957	15/21/2001	Steven W. Meeks	20830-06581

U.S. PATENT & TRADEMARK OFFICE

00758  
FENWICK & WEST LLP  
TWO PALO ALTO SQUARE  
PALO ALTO, CA 94306

CONFIRMATION NO. 6072

## FORMALITIES LETTER



\*OC00000007872963\*

Date Mailed: 04/16/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY OF PAPERS  
ORIGINALLY FILED

05/31/2002 HMARZI1 00000020 10029957  
130.00 OP

01 FC:105

O I P E  
MAY 29 2002  
JC48

PTO/SB/17 (10-01)(modified)  
OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PB(modified) U.S. Department of Commerce  
Rev. 10/2000 TRADEMARK OFFICE Patent and Trademark Office

## FEE TRANSMITTAL

### TOTAL AMOUNT OF PAYMENT

**Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$130.00)**

Complete If Known	
Application Number	10/029,957
Filing Date	December 21, 2001
First Named Inventor	Steven W. Meeks
Group Art Unit	2877
Examiner Name	Not yet known
Attorney Docket Number	20830-06581

COPY OF PAPERS  
ORIGINALLY FILED

### METHOD OF PAYMENT

### FEE CALCULATION (continued)

#### 1. The Commissioner is hereby authorized to:

- Charge the indicated fees to the below mentioned deposit account.
- Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. †
- Applicant claims small entity status  
See 37 CFR 1.27

Deposit Account Number: 19-2555

Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

#### 2. Payment Enclosed:

- Check
- Credit Card
- Other

### FEE CALCULATION (fees effective 10/01/2001)

#### 1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/\$740	201/\$370	Utility Filing	
106/\$330	206/\$165	Design Filing	
108/\$740	208/\$370	Reissue	
114/\$160	214/\$80	Provisional Filing	
<b>SUBTOTAL (1)</b>		<b>(\$0)</b>	

#### 3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	130
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	
147/\$2,520	147/\$2,520	For filing a request for reexamination	
115/\$110	215/\$55	Extension for response within first month†	
116/\$400	216/\$200	Extension for response within second month†	
117/\$920	217/\$480	Extension for response within third month†	
118/\$1,440	218/\$720	Extension for response within fourth month†	
128/\$1,960	228/\$980	Extension for response within fifth month†	
119/\$320	219/\$160	Notice of Appeal	
141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	
142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	
143/\$460	243/\$230	Design Issue Fee	
122/\$130	122/\$130	Petitions to the Commissioner	
126/\$180	126/\$180	Submission of Information Disclosure Statement	
179/\$740	279/\$370	Request for Continued Examination (RCE)	
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	
146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	
149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify):			
Other fee (specify):			
		<b>SUBTOTAL (3)</b>	<b>(\$130.00)</b>

#### 2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/\$18	203/\$9	Claims in excess of 20
102/\$84	202/\$42	Independent claims in excess of 3
104/\$280	204/\$140	Multiple dependent claim
109/\$84	209/\$42	Reissue independent claims over original patent
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent

For	No. of Existing Claims	(Col. 1)		(Col. 2)		(Col. 3)		Fee Due
		minus*	20 or 0	Highest No. Previously Paid For	=	Extra**	x	
TOTAL								= 0
INDEP		minus*	3 or 0		=		x	= 0
[ ] First presentation of multiple dependent claim								

\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

**SUBTOTAL (2)** **(\$0)**

### SUBMITTED BY

Complete (if applicable)

Typed or Printed Name

John T. McNelis

Reg. Number

37,186

Signature

Date

18 May 2002

20830-06581/DOCS/1269444.1

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

COPY OF PAPERS  
ORIGINALLY FILED

PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

MPSI  
#3+

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

P.M. 01/PTO  
Rev. 10/95  
TRADEMARK OFFICE 84U.S. Department of Commerce  
Patent and Trademark Office

Application Number 10/029,957

Filing Date December 21, 2001

First Named Inventor Steven W. Meeks

Group Art Unit Number 2877

Examiner Name Not yet known

Total Number of Pages in This Submission

8

Attorney Docket Number 20830-06581

## TRANSMITTAL FORM

(to be used for all correspondence during pendency of filed application)

Total Number of Pages in This Submission	8	Attorney Docket Number	20830-06581
--	---	------------------------	-------------

## ENCLOSURES (check all that apply)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)<br><input checked="" type="checkbox"/> Check Enclosed   | <input type="checkbox"/> Issue Fee Transmittal   |
| <input checked="" type="checkbox"/> Return Receipt Postcard   | <input type="checkbox"/> Letter to Chief Draftsperson  |
| <input checked="" type="checkbox"/> Response to Notice to File Missing Parts  | <input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figure(s) [ ]   |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  |
| <input type="checkbox"/> Declaration  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)  |
| <input type="checkbox"/> Power of Attorney  | <input type="checkbox"/> Certified Copy of Priority Document(s)  |
| <input type="checkbox"/> Application Data Sheet   | <input type="checkbox"/> After Allowance Communication to Group  |
| <input type="checkbox"/> Information Disclosure Statement & PTO-1449<br><input type="checkbox"/> Copies of IDS Cited References | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts   |
| <input type="checkbox"/> Request for Corrected Filing Receipt   | <input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/><br><input type="checkbox"/> |
| <input type="checkbox"/> Request for Correction of Recorded Assignment  |  |
| <input type="checkbox"/> Amendment/Response: [ ] Page(s)<br><input type="checkbox"/> After Final                                |  |
| <input type="checkbox"/> Status Request   |  |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney  |  |

## REMARKS:

## SIGNATURE OF ATTORNEY OR AGENT

Signature:	
Attorney/Reg. No.:	John T. McNelis / Reg. No.: 37,186

Dated: 18 May 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:	
Typed or Printed Name:	John T. McNelis
Express Mail Mailing Number (optional):	

20830/06581/DOCS/1269440.I